

8.0 LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

8.1 Mitigation Measures

TRAFFIC AND CIRCULATION

Direct Impacts

Roadway Segments

2.1.3-1, 2.1.3-2 and 2.1.3-3: To partially mitigate for the project's impacts on SR-94, and prior to recordation of the Final Map, the applicant shall:

Make a fair-share contribution towards improvements at the SR-94/Jefferson Road intersection, as requested by Caltrans.

The direct impacts to SR-94 cannot be fully mitigated without the widening of SR-94 between Jamacha Road and Melody Road from two lanes to four lanes. To partially mitigate for the project's impacts to SR-94, and prior to the issuance of any building permit or commencement of building construction in use in reliance of the Tentative Map, the applicant shall make a fair share contribution towards improvements at the SR-94/Jefferson Road intersection, as requested by Caltrans. However, project impacts on SR-94 would remain significant and not completely mitigated.

The contribution towards improvements at the intersection of Jefferson Road/SR-94 is considered feasible mitigation because the improvements have already been approved by the County of San Diego. The County of San Diego has conditioned another development project in the area to complete improvements to the north leg of the Jefferson Road/SR-94 intersection by creating a dedicated right turn lane from southbound Jefferson Road to westbound SR-94. The County has approved the improvements, but the required funding for the project does not cover the engineering and construction costs. To partially mitigate for impacts to SR-94, the Peaceful Valley Ranch project would contribute a fair share cost to the improvement of this intersection.

The project shall widen the existing roadway shoulder by constructing an 8-foot wide paved shoulder, in combination with a 15-foot wide (minimum) graded shoulder, along the project's frontage onto SR-94. These improvements would improve site distance along this segment of roadway.

Roadway Segment Impacts Associated with the Deletion of SC 760

2.1.3-4, 2.1.3-5 and 2.1.3-6: To partially mitigate for the project's impacts on SR-94, and prior to recordation of the Final Map, the applicant shall:

Mitigation for these impacts is the same as for Impacts 2.1.3-1, 2.1.3-2 and 2.1.3-3.

Cumulative Impacts

On April 20, 2005 the County Board of Supervisors adopted a Transportation Impact Fee (TIF) ordinance under the authority of the California Mitigation Fee Act (Gov. Code § 66000

LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

et seq.). It provides a mechanism for the proposed project to mitigate its anticipated cumulative transportation and circulation impacts by payment of the impact fee designated in the ordinance. Under the provisions of CEQA Guidelines section 15130(a)(3), payment of the fee “to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact” allows an EIR to “determine that [the] project’s contribution to a significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant.”

Roadway Segments

- 2.1.3-7:** Prior to the recordation of the Final Map, the applicant shall:
Contribute to the County Transportation Impact Fee Program for the project’s impacts on SR-94. The amount shall be consistent with the County Code, as amended and adopted by the Board of Supervisors.
- 2.1.3-8:** Prior to the recordation of the Final Map, the applicant shall:
Contribute to the County Transportation Impact Fee Program for the project’s impacts on SR-94. The amount shall be consistent with the County Code, as amended and adopted by the Board of Supervisors.
- 2.1.3-9:** Prior to the recordation of the Final Map, the applicant shall:
Contribute to the County Transportation Impact Fee Program for the project’s impacts on SR-94. The amount shall be consistent with the County Code, as amended and adopted by the Board of Supervisors.

Intersections

- 2.1.3-10:** Prior to the recordation of the Final Map, the applicant shall:
Contribute to the County’s Transportation Impact Fee Program for the project’s contribution to impacts at the SR-94/Lyons Valley Road intersection. The amount shall be consistent with the County Code, as amended and adopted by the Board of Supervisors.
- 2.1.3-11:** Prior to the recordation of the Final Map, the applicant shall:
- a) Contribute to the County’s Transportation Impact Fee Program towards the future signalization of the SR-94/Melody Road intersection for project impacts to the intersection.
 - b) Construct a dedicated southbound left-turn lane on SR-94 and two westbound approach lanes on Peaceful Valley Ranch Road to accommodate project traffic at the intersection, consistent with the conceptual striping plan for the SR-94/Melody Road intersection, contained in Appendix G of the Traffic Impact Analysis.
- 2.1.3-12:** Prior to recordation of the Final Map, the applicant shall:
Contribute to the County Transportation Impact Fee Program for the project’s impact at the SR-94/Steele Canyon Road intersection. The amount shall be

consistent with the County Code, as amended and adopted by the Board of Supervisors.

BIOLOGICAL RESOURCES

Sensitive Vegetation Communities

3.1.3-1: Impacts to Diegan coastal sage scrub, disturbed Diegan coastal sage scrub, southern mixed chaparral, and non-native grassland shall be mitigated through offsite mitigation as follows.

A minimum of 38.1 acres of upland habitats that includes 0.04 acre of coast live oak woodland mitigation for oak root zone buffer shall be acquired at a County-approved mitigation bank within the MSCP. Alternatively, the required habitat types and acreage could be preserved and managed in permanent biological open space in a county-approved location in accordance with a County-approved *Habitat Management Plan*. Any offsite habitat mitigation must be within the MSCP in an area designated as a Pre-approved Mitigation Area (PAMA) or meeting the definition of a BRCA.

Sensitive Plant Species

No mitigation measures are required. Although impacts to sensitive plant species are considered less than significant, in accordance with the Biological Mitigation Ordinance (BMO), impacts to Group D plant species shall be protected through the habitat-based mitigation as detailed in mitigation measure 3.1.3-1.

Sensitive Animal Species

3.1.3-2: In order to ensure compliance with the MBTA, clearing of native vegetation shall occur outside of the breeding season of most avian species (February 15 through September 15). Clearing during the breeding season of MBTA-covered species could occur if it is determined that no nesting birds (or birds displaying breeding or nesting behavior) are present immediately prior to clearing and would require approval of the Director of Planning and Land Use through written concurrence from the USFWS and CDFG that no breeding or nesting avian species are present in the vicinity of the grubbing, grading, and construction.

Jurisdictional Areas

3.1.3-3: Impacts to 0.32 acre of Corps and CDFG jurisdiction shall be mitigated by the purchase of credits worth 0.32 acre at the Rancho Jamul Mitigation Bank or other bank approved by the Director of Planning and Land Use.

Wildlife Corridors

No mitigation measures are required.

Surface Water Quality

No significant impacts were identified. Therefore, no mitigation is required.

Construction Noise

- 3.1.3-4:** Impacts relating to construction noise shall be mitigated by causing to be placed on grading and/or improvement plans and on the Final Map, the following: Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of occupied tree-nesting raptor habitat or 800 feet within ground-nesting raptor habitat during the breeding season. This is defined as occurring between February 15 and July 15. The Director of Planning and Land Use may waive this condition, through written concurrence from the U.S. Fish and Wildlife Service and the California Department of Fish and Game, that no raptors are present in the vicinity of the brushing, clearing or grading.

Fugitive Dust

No mitigation measures are required (*see Design Measures below*).

Non-Native Plant Species

- 3.1.3-5:** Areas that are impacted but undeveloped (e.g., cut or fill slopes) shall be revegetated with native species or non-invasive non-native species immediately after ground disturbance is completed.

Edge Effects

No mitigation measures are required.

Domesticated Pets

- 3.1.3-6:** Potential impacts of pets and nuisance animal species on wildlife shall be mitigated through informational signage and permanent fencing.

Human Activity

- 3.1.3-7:** Permanent fencing and signage shall be provided identifying the limits of all onsite biological open space, consistent with Figure 3.1-7 of the EIR and more particularly described on TM 5341 RPL5. In addition, permanent fencing will be provided along sides of all trails adjacent to biological open space. In addition, preserved habitat shall be posted with signs precluding access due to habitat sensitivity and prohibiting dumping.

Animal Behavioral Changes

No mitigation measures are required.

Roadkill

No mitigation measures are required.

Night Lighting

No mitigation measures are required (see *Design Measures* below).

Errant Construction

- 3.1.3-8:** Temporary fencing shall be required where proposed grubbing, clearing, or grading is within 100 feet of biological open space. All construction limits shall be clearly delineated with temporary fencing, such as silt fencing or fiber rolls and orange construction fencing to ensure that construction activity remains within the defined limits evaluated in the Biological Technical Report. A qualified biologist shall inspect the fencing and shall monitor construction activities occurring adjacent to the construction limits to avoid unauthorized impacts. The project proponent shall provide evidence to the Department of Planning and Land Use in the form of a letter that the biologist has been contracted, has completed the monitoring, and that requirements have been met successfully.

Groundwater Drawdown

- 3.1.3-9:** The project will implement monitoring and mitigation requirements consistent with the Groundwater Resource Evaluation report (Wiedlin & Associates 2006).

NOISE

The project applicant proposes the following mitigation measures to mitigate the project's impacts associated with noise:

Project Operations

Project Operations – Onsite Traffic Noise

- 3.2.3-1:** On the final map the applicant shall:
- Grant to the County of San Diego a Noise Protection Easement over the entire area of Lots 1, 48, and 49 of Tentative Map TM 5341 RPL5. This easement is for the mitigation of present and anticipated future excess noise levels on noise-sensitive land use of the affected Lots. The easement shall require:
- Prior to the issuance of any building permit for any residential use within the noise protection easement, the applicant shall:
- 1) Complete to the satisfaction of the Director of the Department of Planning and Land Use, a site-specific acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior noise sensitive areas and exterior noise sensitive areas (useable space) of residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [interior (45 dBA CNEL), exterior (60 dBA CNEL)]. Future traffic noise level estimates for Campo Road (SR-94), must utilize a Level of Service "C" traffic flow for a major road

classification, which is, designated General Plan Circulation Element Buildout roadway classification south of Melody Road.

- 2) Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.

CULTURAL AND PALEONTOLOGICAL RESOURCES

Archaeological Site Capping Plan

3.3.3-1a: Prior to approval of grading permits or improvement plans, or on the Final Map, whichever comes first, the applicant shall:

Implement an archaeological site capping plan for the protection of site CA-SDI-11,050 Locus A to the satisfaction of the Director of Planning and Land Use. Implementation of the capping plan shall include the following:

- Prior to placing the cap, a letter shall be submitted to the Director of Planning and Land Use stating that a County-certified archaeologist has been retained to supervise and monitor the capping of the archaeological site.
- Capping of the archaeological site shall be conducted by first placing construction fabric (e.g. Amoco) or a minimum of six inches of sterile sand over the entire area of the archaeological site to be capped. The sand layer shall be covered with 1.5 to 2.0 feet of clean fill dirt. This layer shall be “feathered” out to ten feet beyond the defined boundary of the capping area to create a buffer. The materials to be used for capping shall be stockpiled and spread by hand.
- After capping, the soil cap shall be landscaped with drought resistant, non-native grasses. Selection of species shall be made in consultation with a landscape architect. Temporary irrigation, if necessary, shall be an above-ground system and shall be removed as soon as the vegetation has been established.
- After the cap has been completed and the landscaping installed, the archaeologist shall prepare a final letter report that details how the capping procedure and landscaping was completed.
- After capping all of the following activities are prohibited from taking place on the capped archaeological site: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than open space.

The sole exception(s) to this prohibition is:

The planting of non-native grasses, irrigation lines, or utility lines in the sterile cap above the archaeological deposits, according to a plan approved by the Director of Planning and Land Use.

Curation

3.3.3-1b: All artifacts obtained during the field survey and significance testing phases of the cultural study shall be curated to exhaust the information potential associated with each site to the satisfaction of the Director of Planning and Land Use. The curation program shall be implemented as follows:

Prior to approval of grading permits or improvement plans, or recordation of the Final Map, whichever comes first, the applicant shall:

Provide evidence to the satisfaction of the Director of Planning and Land Use that all archaeological materials recovered during the Brian F. Smith & Associates (2006) archaeological investigation of the property, including all significance testing as well as grading monitoring activities, have been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the curation of archaeological materials recovered during both the significance testing and data recovery phases, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of curation that includes the processing of the archaeological material by the curation facility, and the archiving of the archaeological material in perpetuity.

Temporary Fencing

3.3.3-1c: A temporary fencing plan for the protection of site CA-SDI-11,050 Locus A during grading operations shall be implemented to the satisfaction of the Director of Planning and Land Use. Implementation of the temporary fencing plan shall include the following:

Prior to approval of grading permits or improvement plans, or on the Final Map, whichever comes first, the applicant shall:

Prepare and implement a temporary fencing plan for the protection of archaeological site CA-SDI-11,050, Locus A, during any grading activities

within one hundred feet (100') of easement "C", as shown on Tentative Map 5341 RPL5 dated November 2006. The temporary fencing plan shall be prepared in consultation with a qualified archaeologist, and submitted to the Director of Planning and Land Use for approval. The fenced area shall include a buffer sufficient to protect the archaeological site. The fence shall be installed under the supervision of the qualified archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed.

A. Provide Evidence to the Director of Planning and Land Use that the following notes have been placed on the Grading Plan:

1. In the event that construction activities are to take place within 100 feet of easement "C", as shown on Tentative Map 5341Rpl5 dated November 2006, the temporary fencing plan shall be implemented under the supervision of a qualified archaeologist that consists of the following:
 - a. Identify site boundaries.
 - b. Determine adequate buffer for the protection of the site in consultation with the County Archaeologist.
 - c. Upon approval of buffers, install fencing.
 - d. Submit to the Director of Planning and Land Use for approval, a signed and stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been installed in all locations of the project where proposed grading or clearing is within 100 feet of the easement "C".

Fencing may be removed after the conclusion of construction activities.

Cultural Impact Fee

3.3.3-2: A Cultural Impact Fee shall be made to the San Diego Archaeological Center to mitigate for the geological testing impact to CA-SDI-11,050, Locus A and shall include the following:

Prior to approval of grading permits or improvement plans, or prior to the recordation of the Final Map, whichever comes first, the applicant shall:

Provide evidence to the satisfaction of the Director of Planning and Land Use that a payment of \$1,000.00 for the curation of orphan collections shall be made to the San Diego Archaeological Center for geological testing that has impacted site, CA-SDI-11,050, Locus A. Evidence shall be in the form of a letter form the San Diego Archaeological Center identifying that payment has been received.

Grading Monitoring and Data Recovery Program

3.3.3-3: A Grading Monitoring and Data Recovery Program shall be implemented to mitigate for the potential presence of undiscovered, buried resources. The Grading Monitoring and Data Recovery Program shall include the following:

Prior to approval of grading or improvement plans, the subdivider shall:

A. Implement a grading monitoring and data recovery program to mitigate potential impacts to undiscovered buried archaeological resources on the Peaceful Valley Project, TM5341RPL5/P04-048 to the satisfaction of the Planning Director. This program shall include, but shall not be limited to, the following actions:

1. Provide evidence to the Department of Planning that a County-certified archaeologist has been contracted to implement a grading monitoring and data recovery program to the satisfaction of the Director of Planning and Land Use (DPLU). A letter from the Project Archaeologist shall be submitted to the director of Director of Planning and Land Use. The letter shall include the following guidelines:
 - a. The consulting archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program.
 - b. The County-certified archaeologist/historian and a Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
 - c. The consulting archaeologist shall monitor all areas identified for development.
 - d. An adequate number of monitors (archaeological/historical/Native American) shall be present to ensure that all earth moving activities area are observed and shall be onsite during all grading activities.
 - e. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor shall be onsite full-time to perform full-time monitoring as determined by the Principal Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of the inspections will be determined by the Principal Investigator and the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
 - f. Isolates and clearly non-significant deposits will be minimally documented in the field and the monitored grading can proceed.

- g. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.
- h. If any human bones are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.
- i. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate sample for analysis.
- j. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program and all previous archaeological studies shall be processed and curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any

building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.

1. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.
- B. Provide evidence to the Director of Planning and Land Use that the following notes have been placed on the Grading Plan:
1. The County certified archaeologist/historian and Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
 2. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite full-time to perform full-time monitoring as determined by the Principal Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Principal Investigator in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
 3. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitors shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal Investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.
 4. The consulting archaeologist shall monitor all areas identified for development.
 5. If any human bones are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage

LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

Commission, shall be contacted in order to determine proper treatment and disposition of the remains.

6. Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Principal Investigator.
7. Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall also include the following:
 - a. Department of Parks and Recreation Primary and Archaeological Site forms.
 - b. Evidence that all cultural materials collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriated curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the Principal Investigator that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the preparation of the Final Report that document the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 Percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Principal Investigator in consultation with County Staff Archaeologist.

C. Prior to recordation of the Final Map, the applicant shall:

1. Complete and submit a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program to the satisfaction of the Director of Planning and Land Use. The report shall also include the following:
 - a. Department of Parks and Recreation Primary and Archaeological Site Forms.
 - b. Evidence that all cultural materials collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriated curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the preparation of the Final Report that document the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Principal Investigator in consultation with County Staff Archaeologist.

GROUNDWATER

- 3.4.3-1:** A groundwater level monitoring and mitigation program shall be established, consistent with Appendix A of the *Groundwater Resource Evaluation* to tie groundwater production to groundwater drawdown at a monitoring well to be installed in the vicinity of the nearest groundwater dependent habitat. The owner of Lot 51 shall retain a hydrogeologist, certified by the State of

California, to direct the groundwater monitoring program. The nearest groundwater dependent habitat, a solitary sycamore tree, is approximately 215 feet southwest of well PV-4, and downgradient from the well. A proposed monitoring well, PV-6, will be installed between the sycamore tree and the pumping well. The proposed monitor well shall be located on the opposite, or east, side of the creek bed from the sycamore tree at the Hollenbeck Canyon Wildlife Area. The Hollenbeck Canyon Wildlife Area is managed by the California Department of Fish and Game (CDFG). Accordingly, the proposed well location shall be contingent on CDFG's authorization, timely response, and reasonable access and liability requirements.

Proposed monitoring well PV-6 shall be completed to a depth approximately 10 feet below the groundwater threshold, a depth of approximately 45 feet. The well may need to be completed using a combination of air rotary drilling and hollow stem auger methods. The well shall be completed to the standards defined in the San Diego County SAM Manual.

These specific actions are further defined in the groundwater monitoring and mitigation plan as defined in Appendix A of the *Groundwater Resource Evaluation* and include, but are not limited to the following measures:

- Install a cumulative flow meter at well PV-4 and record water usage monthly.
- Measure water levels at wells PV-2, PV-4, and the proposed well PV-6 every month.
- Prepare and submit to DPLU an annual groundwater monitoring report within 28 calendar days after the end of the annual monitoring period.
- The annual monitoring report shall include groundwater production and groundwater level data and shall document shutdowns in groundwater production induced by groundwater levels dropping below the biological groundwater threshold. The report shall also evaluate whether groundwater production was in compliance with the restriction that production will not exceed development-induced groundwater recharge as calculated using the method summarized in Table 6 of the groundwater report. The report shall include an estimate of project development-induced groundwater recharge based on an inventory of what parcels have been developed and are using OWD water.

HAZARDS AND HAZARDOUS SUBSTANCES

Potential UST in Area 3

3.5.3-1: Prior to the issuance of a grading permit, the applicant shall:

Excavate the area under the maintenance/workshop building for evidence of an underground storage tank (UST). If a UST is found, the removal of the

UST shall be done under permit and inspection of the DEH, Underground Storage Tank Program.

The DEH removal process adequately mitigates potential impacts because the DEH requires soil samples to be taken as part of a UST removal to determine if contamination exists and requires remediation of contaminated soils if necessary. All UST removal will be completed in accordance with the requirements of the DEH site Assessment and Mitigation Program Manual.

Stained Soil Area in Area 1

3.5.3-2 Prior to the issuance of a grading permit, the applicant shall:

Prepare and execute a plan to remediate the area of stained soils in Areas A and B (within Area 1) to the satisfaction of the DEH Site Assessment and Mitigation Program. Remediation will generally include excavation of soils in Area A to a depth of approximately two feet below ground surface and excavation of an approximate six by seven foot area to the bottom of visible staining in Area B. Excavated soils would be placed in containers for characterization and offsite disposal in accordance with applicable regulations.

Stained Soil Area in Area 3

3.5.3-3 Prior to the issuance of a grading permit, the applicant shall:

Prepare and execute a plan to remediate the area of stained soils in Area 3 to the satisfaction of the DEH Site Assessment and Mitigation Program. Remediation will generally include excavation of an approximate six feet by six feet area of soils to a depth of approximately three feet. Excavated soils would be placed in containers for characterization and offsite disposal in accordance with applicable regulations. A confirmatory sample of the excavated soil shall be collected from the bottom of the excavation and shall be analyzed for lead and TPH.

8.2 Project Design Considerations

TRAFFIC AND CIRCULATION

Access

Prior to the recordation of the Final Map, the applicant shall construct the gated access to County design standards No. DS-17, DS-18 and DS-19 and to the satisfaction of the County Director of Public Works.

BIOLOGICAL RESOURCES

As a design measure to avoid potential impacts, a biological open space easement shall be placed on selected areas of native vegetation onsite, as shown on Figure 3.1-2 of the EIR, which would conserve 0.23 acre of streambed, 0.73 acre of coast live oak woodland, 4.5

acres of Diegan coastal sage scrub, and 2.9 acres of non-native grassland in perpetuity. Biological buffers (50 feet for coast live oak woodland and riparian woodland and 25 feet for streambed) shall be provided within the biological open space easement; refer to Figure 3.1-2. Permanent signage shall be provided identifying the limits of the biological open space easement.

Night Lighting

All street lighting should be of low illumination and be directed downwards and away from adjacent native habitat areas.

Non-Native Plant Species

To prevent the spread of non-native vegetation and noxious weeds, landscaping within the development area should avoid the use of invasive, non-native plants. Such species shall not be included in any landscaping plans for the project.

NOISE

All of the activities on Lot 51 would be agricultural operations (horse raising) and thus the County Noise Ordinance (Section 36.417e) would exempt them from the property line sound level limits contained within Section 36.404 during daytime hours (i.e., 7 am to 7 pm). Any operations not covered by the agricultural exemption or any agricultural operations between 7 pm and 7 am would be subject to the property line limits of the County Noise Ordinance.

To avoid any potential for exceeding the standards and requirements of the County Noise Ordinance, conditions of the Lot 51 MUP will stipulate that all mechanized maintenance activities, including polo field mowing, will be limited to the hours of 7:00 am to 7:00 pm daily.

Pursuant to Major Use Permit MUP04-048, any future replacement of well pumps on Lots 42 and 51 by the permit holder is required not to exceed the existing equipment noise level at each well of 47 decibels (A) at a reference distance of five feet. Please refer to pump locations shown in Figure 3.4-2 of the EIR and Figure 5 of the technical Acoustical Site Assessment.

Temporary Construction Activities

Grading

- Apply non-toxic soil stabilizers according to manufacturer's specification to all inactive construction areas (i.e. previously graded areas inactive for ten (10) days or more).
- In disturbed areas, replace ground cover as quickly as possible.
- Enclose, cover, water twice daily, or apply non-toxic soil binders according to manufacturer's specification to exposed piles (i.e. gravel, sand, and dirt) with 5% silt content.
- Water active sites twice daily.

LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

- Suspend all excavating and grading operations when wind speeds exceed 25 mph.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e. minimum vertical distance between top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114.

Paved Roads

- Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads (recommended water sweepers with reclaimed water).
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the project site.

Unpaved Roads

- During grading, apply water three times daily, non-toxic soil stabilizers according to manufacturer's specification to all unpaved roads and parking or staging areas.
- Traffic speeds on all unpaved roads to be reduced to 15 mph or less.
- Pave construction roads that have a traffic volume of more than 50 daily trips by construction equipment, 150 total daily trips for all vehicles.

AGRICULTURAL RESOURCES

The applicant shall be required to provide a State of California, Department of Real Estate (DRE) Public Report ("White Paper") to disclose the existence of any potential nearby agricultural activities and associated nuisances. Provision of the White Paper shall be consistent with the San Diego County Code of Regulatory Ordinances, Title 6 – Health and Sanitation, Division 3 - Crops and Plants, Section 63.404, Notice to Prospective Buyers and Occupiers, as follows:

- (a) Any person selling, leasing, or renting real property, which is within an agricultural area may notify any prospective purchaser or occupier of such real property in writing as follows:

"The subject property may be located within one mile of agricultural enterprises. Occupants of this property may be exposed to inconveniences or irritations arising from agricultural enterprises, including but not limited to cultivation, plowing, spraying, pruning, harvesting, drying, crop protection from the elements or depredation which generates dust, smoke, noise, insects, rodents, and odor, and the use of agricultural chemicals, including but not limited to herbicides, insecticides, fungicides, rodenticides, and fertilizers. Occupants of the property may be required to accept such inconveniences and irritations, unless the agricultural enterprise constitutes a public or private nuisance, despite the provisions of Section 3482.5 of the Civil Code or Section 63.403 of the San Diego County Code. It is understood that agricultural uses may be altered or expanded in the future. Further information concerning enrolled agricultural activities or enterprises within one mile of this property may be obtained from the County

Department of Agriculture, Weights and Measures upon payment of the applicable fees under the California Public Records Act.”

- (b) For the purposes of this Chapter, an agricultural area is defined as property that is (1) within an agricultural zone; (2) being used for an agricultural activity or operations; or, (3) located within one mile of the boundary of property that is being used for an enrolled agricultural enterprise as defined in Section 63.405.

HYDROLOGY AND WATER QUALITY

The project shall implement the Best Management Practices identified in the Stormwater Management Plan; refer to Appendix K. These BMPs shall at a minimum include a detention basin, rip-rap energy dissipaters, vegetated swales, and an approved stormwater maintenance plan. Implementation of these design measures shall be subject to the monitoring and approval of the Department of Public Works.

GROUNDWATER RESOURCES

To ensure that a production limit of 22.2 acre-feet is adhered to, the following design measures will be made conditions of approval for the Major Use Permit (MUP) required for the equestrian center. The specific actions are further defined in the groundwater monitoring and mitigation plan located in Appendix A of Appendix F.

1. Install a cumulative flow meter at well PV-4 and record water usage monthly.
2. Every month, measure water levels at wells PV-2, PV-4, and PV-6.
3. Destroy wells PV-1 (once the Dedrick’s Life Estate Agreement has ended), PV-3 and OW-1 through OW-9 following the guidance for well destruction in the DEH *Site Assessment Manual*.
4. Prepare and submit to DPLU an annual groundwater monitoring report due within 28 calendar days after the end of the annual monitoring period.
5. The annual monitoring plan, found in Appendix A of Appendix F of this report, shall include groundwater production and groundwater level data and will document shutdowns in groundwater production induced by groundwater levels dropping below the biological groundwater guideline. The plan will also evaluate whether groundwater production is in compliance with the restriction that production not exceed development-induced groundwater recharge, as calculated using the method summarized in Table 3.4-5. The report will include an estimate of project development-induced groundwater recharge based on an inventory of what parcels have been developed and are using OWD water.

The frequency and area extent of groundwater level monitoring are estimated based on non site-specific experience. Once monitoring data has been collected for a minimum of one year, revisions in the monitoring and mitigation program may be advisable and may be implemented at the discretion of the DPLU director.

HAZARDS AND HAZARDOUS SUBSTANCES

Wildfire Safety / Vegetation Management Master Plan

The following design measures shall apply to the project for the purpose of reducing the risk of wildfire and for vegetation management and defensible space:

The applicant shall implement all planning and design measures as outlined in the “Wildland Safety/Vegetation Management Master Plan” prepared by Scott Franklin Consulting, dated September 2006, which includes the following sections:

Defensible Space and Vegetation Management Zones

- A. Fuel Management Zones
- B. Planting within Fuel Management Zones for acceptable and prohibited plants, trees, and shrubs
- C. Community Fuel Management Implementation Program standards that include the requirement for a Limited Building Zone (LBZ) setback to the project boundary along perimeter lots to ensure minimum Fuel Management Zones can be achieved without offsite clearing.

Site Planning and Design Standards

- A. Roads and Driveways
- B. Fire Protection Water System
- C. Utility Lines
- D. Safety Zones / Staging Areas/ Helipads

Building Ignition and Fire Resistance Standards

- A. Building Design and Construction Requirements (Basic Fire-Resistive Standards)
- B. Building Design and Construction Requirements (Enhanced Fire-Resistive Standards)
- C. Smoke and Fire Alarms
- D. Construction Phase Activities

General Provisions

- A. Standards, Approvals, CC&Rs, Inspections, Other Requirements

Animal Waste, Fly, Vector Control

The public and private equestrian facility will incorporate the best management practices outlined in the Vector Plan as project design elements.

Lot 51 – Private Equestrian Facility

The following conditions shall apply during the term of the Major Use Permit for the private polo facility, Lot 51 of the Peaceful Valley Ranch Project:

For the duration of the major use permit, the private equestrian facility on Lot 51 shall comply with the recommendations and manure management methods described in the

LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

Animal Waste, Fly, and Vector Control Plan dated September 2006, on file with DPLU as Log No. 04-19-007 or by subsequent revision approved by the Department of Environmental Health, Vector Control Program. The elements of the plan to be implemented include, but are not limited to, general manure management methods, general water management methods, education, sanitary methods, mosquito control, feed storage, rodent control, and long-term maintenance. The activities detailed in this plan are subject to enforcement under the State of California Health and Safety Code Section 2060-2067.

Lot 48 - Public Equestrian Facility

The Public Equestrian Facility on Lot 48 shall comply with the recommendations and manure management methods described in the Animal Waste, Fly, and Vector Control Plan dated September 2006, on file with DPLU as Log No. 04-19-007 or by subsequent revision approved by the Department of Environmental Health, Vector Control Program. The elements of the plan to be implemented include, but are not limited to, general manure management methods, general water management methods, education, sanitary methods, mosquito control, feed storage, rodent control, and long-term maintenance. The activities detailed in this plan are subject to enforcement under the State of California Health and Safety Code Section 2060-2067.

Additional Hazardous Material Design Considerations

The proposed project would destroy wells PV-1 and PV-3, and OW-1 through OW-9, following guidance measures for well destruction given in the DEH Site Assessment Manual. A cumulative flow meter would be installed at well PV-4 to record monthly water usage and the water level would be measured at wells PV-2, PV-4 and the proposed monitoring well (PV-6) on a monthly basis. Refer to Appendix F-1 for additional information pertaining to the water wells.

Demolition of the onsite structures would comply with regulations pertaining to the testing and/or removal of asbestos containing materials (ACMs) and lead-based paint (LBP). Abatement would be conducted on an as-needed basis to protect human health and the environment and to comply with all applicable federal, state, and local laws and regulations governing ACMs and LBPs. Prior to building demolition, lead based paint and asbestos surveys will be completed in accordance with applicable federal, state, and local laws governing ACMs and LBP. These surveys are considered a project design element and will be required as a condition of the project. Therefore, no significant impacts are expected to occur with respect to ACM or LBP.

Demolition and removal activities on the site will occur in accordance with the requirements of CEQA, ASTM standard practices, and pertinent Federal, State, and County policies. If unknown substances or materials are discovered during construction that are suspected to be hazardous, the contractor would be required to stop work immediately in the vicinity of the suspected contaminant and to notify the implementing agency's Hazardous Waste/Materials Coordinator. Mitigation is therefore not required or proposed to reduce potential impacts resulting from exposure to hazardous materials onsite to less than significant. Refer to Appendix G-3 for the Phase I ESA.

All miscellaneous vehicles, equipment, construction and irrigation materials, ASTs, 55-gallon drums, and 5-gallon buckets will be demolished and/or removed and properly

LIST OF MITIGATION MEASURES AND ENVIRONMENTAL DESIGN CONSIDERATIONS

disposed of at an offsite location, prior to grading of the subject site. All miscellaneous storage and debris piles will also be removed from the site, consistent with applicable County procedures. The removal of miscellaneous storage and debris piles is considered a design element and will be required as a condition of the project. Therefore, no significant impacts are expected to occur with respect to debris onsite.

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